

State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

RESEARCH APPENDIX - **PLEASE DO NOT REMOVE FROM DRAFTING FILE**

Appendix B ... Part 1 of 1

Date Transfer Requested: 05/02/2006 (Per: MGG)




The 2005 drafting file for
LRBs0717/1 (transferred)



LRBa3111/P2 (transferred)

where used to create ...
LRB 05s0742

 The attached 2005 draft was incorporated into the new 2005 draft listed above. For research purposes, this cover sheet and the attached drafting file were added, as a appendix, to the new 2005 drafting file. If introduced this section will be scanned and added, as a separate appendix, to the electronic drafting file folder.

2005 DRAFTING REQUEST

Senate Amendment (SA-SSA(LRBs0717/1)-AB414)

Received: **05/01/2006**

Received By: **mglass**

Wanted: **As time permits**

Identical to LRB:

For: **Carol Roessler (608) 266-5300**

By/Representing: **Jennifer**

This file may be shown to any legislator: **NO**

Drafter: **mglass**

May Contact:

Addl. Drafters:

Subject: **Buildings/Safety - clean ind air**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Roessler@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Prohibiting smoking in restaurants, taverns and work places, statutory referendum

Instructions:

wants binding statutory referendum, act to go into effect on condition of passage of referendum

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/P1	mglass 05/01/2006	wjackson 05/01/2006	jfrantze 05/01/2006	_____	sbasford 05/02/2006		
/P2	mglass 05/02/2006	wjackson 05/02/2006	jfrantze 05/02/2006	_____	sbasford 05/02/2006		

FE Sent For:

<END>

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/?							
/P1	mglass 05/01/2006	wjackson 05/01/2006	jfrantze 05/01/2006	_____	sbasford 05/02/2006		

FE Sent For:

/p2 wj 5/2
de
52
de/ks
52
<END>

2005 DRAFTING REQUEST

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May Contact: Addl. Drafters:
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Pre Topic:

No specific pre topic given

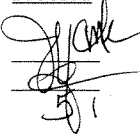
Topic:

Prohibiting smoking in restaurants, taverns and work places, statutory referendum

Instructions:

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/?	mglass	/plwj 5/1	J 5/1				

FE Sent For:

<END>



State of Wisconsin
2005 - 2006 LEGISLATURE

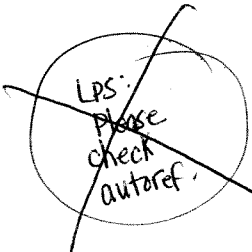
LRBa31118

MGG:1....

Today

Wlj

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
SENATE AMENDMENT,
TO SENATE SUBSTITUTE AMENDMENT (LRBs0717/1),
TO 2005 ASSEMBLY BILL 414



regardless of size

1 At the locations indicated, amend the substitute amendment as follows:

2 ✓ 1. Page 2, line 2: after "areas" insert "and" requiring a referendum.

3 ✓ 2. Page 11, line 11: delete lines 11 and 12 and substitute:

4 "SECTION 53g. Nonstatutory provisions.

Assembly Bill ...

5 (1) REFERENDUM. There shall be submitted to the vote of the electors at the

6 general election in November 2006 the following question: Shall sections 1 through

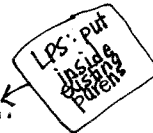
7 52 of 2005 (Wisconsin Act ... (LRB 50717/1) which expands the closed indoor areas where

8 smoking is prohibited to include all restaurants and taverns and which eliminates

9 the authority to designate smoking areas in public transit vehicles and all buildings

10 or other indoor areas that employees normally frequent except for private

11 residences, private rooms in retirement homes, and up to 25 percent of the rooms in



STH ①
 1 lodging establishments (become law effective June 1, 2008?" If the question is
 2 approved by a majority of all votes cast on the question at the election, SECTIONS 1
 3 ^{to} ~~through~~ 52 of ^{this} ~~the~~ act shall become law; otherwise SECTIONS 1 ^{to} ~~through~~ 52 of this act
 4 shall not take effect.

SECTION 53r. Effective dates.

⑥ (1) SECTION 53 ^{of this act} takes effect on the day after publication.

7 (2) The treatment of sections 101.123 (1) (am), (b), (bn), (br), (c), (d), (dg), (dj),
 ⑧ (dm), (e), (f), (g), (im), and (j), (2) (title), (a) (intro.), 1., ② 2m., 4., 5., 5m., 5t., 7m., 9m.,
 ⑨ and 10., (am), (ar), (b), (bm), (br), (bv), (c), and (d) (intro.), (3) (3m), (4), (4m) (title),
 ⑩ (5) (title), (intro.), (a), and (b), ^{and} (8) (a) and (b), 165.60, 165.755 (1) (b), 302.46 (1) (a),
 ⑪ 460.01 (5), 757.05 (1) (a), and 814.63 (1) (c) of the statutes, ^{and} the renumbering of section
 12 101.123 (6) and (7) of the statutes, ^{and} the repeal of section 101.123 (6) (title) and
 ⑬ (7) (title) of the statutes take effect on June 1, 2008, if the condition set forth in SECTION
 14 53g (1) of this act is satisfied .".

15 (END)

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

P1
LRBa3111/Adn
MGG:/.....
WLj

I have made this a preliminary draft. Once the language for the referendum question has been finalized, I will redraft this for introduction and redraft a second substitute amendment including this language.

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa3111/P1dn
MGG:wlj:jf

May 1, 2006

I have made this a preliminary draft. Once the language for the referendum question has been finalized, I will redraft this for introduction and redraft a second substitute amendment including this language.

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215

Gibson-Glass, Mary

From: Stegall, Jennifer
Sent: Monday, May 01, 2006 2:51 PM
To: Gibson-Glass, Mary
Subject: Appleton Smoke Free Workplace information

Attachments: 5-1-06 2005 Ballot Question (smokefree workplaces).pdf; 5-1-06 Appleton Code (Smoke Free Indoor Air).pdf; Stegall, Jennifer.vcf



5-1-06 2005 Ballot
Question (s...



5-1-06 Appleton
Code (Smoke Fr...

Mary,

Here are the questions that were before the Appleton voters relating to smoke free workplaces. In addition, I've attached the Appleton Ordinance.

It sounded like you had a good handle on how we could tie binding referendum language into the SB 430 language but I thought I would send this along in case it is helpful.

Thanks again for your work on this.

Jennifer Stegall
Office of Senator Carol Roessler
608-266-5300/1-888-736-8720
Jennifer.Stegall@legis.state.wi.us



Stegall,
Jennifer.vcf (4 KB)

2005 Ballot Question ("Yes" vote would make all indoor workplaces smoke free)

"Shall the City of Appleton adopt an ordinance to ban smoking in all indoor public places, including public transportation; within 20 feet of the entries of all City owned structures; on the grounds and sidewalks of the Appleton Public Library from Appleton Street to Oneida Street; on the grounds and sidewalks of the Transit Center from Oneida Street to the west edge of the East Parking Ramp; in all city parks as posted by the Parks And Recreation Department; in all educational facilities or premises under the control of a school board; and in all places of employment; with said smoking ban not applicable to retail tobacco stores; the stage of any theatre when used in connection with any theatrical performance and so noticed in the program; or a be and Breakfast, hotel and motel rooms that are rented to guests and are designated as smoking rooms; provided that not more than 25% of the rooms rented to guests are designated as smoking; and additionally providing for enforcement of said ban as well as penalties for violations thereof, to become effective July 1, 2005?"

Yes

No

2006 Ballot Question ("Yes" vote would change the ordinance to allow smoking in formerly smoke-free areas)

"Shall the City of Appleton Municipal Code Sec. 7-100, also known as the Smoke-Free Indoor Air Ordinance, be changed in the following ways: A) Eliminate persons who serve as a volunteer for a business or non-profit entity from the definition of "employee" and eliminate non-profit entities from the definition of "employer"; and, B) eliminate the existing prohibition of smoking in motor buses, taxicabs, or other public passenger vehicles and only prohibit smoking in publicly owned and operated forms of transportation; and C) to permit smoking in meeting rooms where people gather for business, professional, union, recreational or social purposes; and D) to prohibit smoking on all sidewalks surrounding the Appleton Public Library except the south sidewalk along Franklin Street from Appleton Street to Oneida Street; and, E) to permit smoking in any business that possesses a "Class B" retail license including, but not limited to taverns, nightclubs, bowling alleys or the bar areas of restaurants; and, F) to enable the City Council, by a simple majority vote, to exempt any entity, organization, business or workplace from the Smoke-Free Indoor Air Ordinance; and, G) to reduce the dollar amount of the fines and penalties for violations of the Ordinance?"

Yes

No



State of Wisconsin
2005 - 2006 LEGISLATURE

1P2
LRBa3111/Pf
MGG:wlj:jf

WJW

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
SENATE AMENDMENT ,
TO SENATE SUBSTITUTE AMENDMENT (LRBs0717/1),
TO 2005 ASSEMBLY BILL 414

No ff
INS ✓
1-10

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 **1.** Page 2, line 2: after "areas" insert "and requiring a referendum".
- 3 **2.** Page 11, line 11: delete lines 11 and 12 and substitute:
- 4 **"SECTION 53g. Nonstatutory provisions.**
- 5 (1) REFERENDUM. There shall be submitted to the vote of the electors at the
- 6 general election in November 2006 the following question: "Shall sections 1 to 52 of
- 7 2005 Wisconsin Act ... (Assembly Bill ... (LRBs0717/1)), which expands the closed
- 8 indoor areas where smoking is prohibited in this state to include all restaurants,
- 9 regardless of size, and all taverns and which eliminates the authority to designate
- 10 smoking areas in all public transit vehicles and all buildings or other indoor areas
- 11 that employees normally frequent except for private residences, private rooms in

1 retirement homes, and up to 25 percent of the rooms in lodging establishments
2 ~~become law effective June 1, 2008?~~ If the question is approved by a majority of all
3 votes cast on the question at the election, SECTIONS 1 to 52 of this act shall become
4 law. Otherwise SECTIONS 1 to 52 of this act shall not take effect.

5 **SECTION 53r. Effective dates.**

6 (1) SECTION 53g of this act takes effect on the day after publication.

7 (2) The treatment of sections 101.123 (1) (am), (b), (bn), (br), (c), (d), (dg), (dj),
8 (dm), (e), (f), (g), (im), and (j), (2) (title), (a) (intro.), 1., 2m., 4., 5., 5m., 5t., 7m., 9m.,
9 and 10., (am), (ar), (b), (bm), (br), (bv), (c), and (d) (intro.), (3), (3m), (4), (4m) (title),
10 (5) (title), (intro.), (a), and (b), and (8) (a) and (b), 165.60, 165.755 (1) (b), 302.46 (1)
11 (a), 460.01 (5), 757.05(1) (a), and 814.63 (1) (c) of the statutes, the repeal of section
12 101.123 (6) (title) and (7) (title) of the statutes, and the renumbering of section
13 101.123 (6) and (7) of the statutes take effect on June 1, 2008, if the condition set forth
14 in SECTION 53g (1) of this act is satisfied."

15 (END)

2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa3111/P1ins
MGG:wljfj

INS 1-10

(NCF) (?) "Shall sections 1 to 52 of 2005 Wisconsin Act (this act) become law effective June 1, 2008, thus changing current state law in the following ways:

(a) Increases the closed ^{indoor} ~~indoor~~ areas where smoking is prohibited in this state to include all restaurants, regardless of size, and all taverns.

Nonstat pars. → (b) Prohibits smoking, or eliminates the authority to designate smoking areas, in all public transit vehicles ^s ~~es~~ and all building ^s ~~s~~ and ~~other~~ ⁿ other closed, indoor areas ^m



State of Wisconsin
2005 - 2006 LEGISLATURE

LRBa3111/P2
MGG:wlj:jf

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,

TO SENATE SUBSTITUTE AMENDMENT (LRBs0717/1),

TO 2005 ASSEMBLY BILL 414

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6 general election in November 2006 the following question: "Shall sections 1 to 52 of
7 2005 Wisconsin Act (this act) become law effective June 1, 2008, thus changing
8 current state law in the following ways:

9 (a) Increases the closed indoor areas where smoking is prohibited in this state
10 to include all restaurants, regardless of size, and all taverns.

1 (b) Prohibits smoking, or eliminates the authority to designate smoking areas,
2 in all public transit vehicles and all buildings and other closed, indoor areas that
3 employees normally frequent except for private residences, private rooms in
4 retirement homes, and up to 25 percent of the rooms in lodging establishments?" If
5 the question is approved by a majority of all votes cast on the question at the election,
6 SECTIONS 1 to 52 of this act shall become law; otherwise SECTIONS 1 to 52 of this act
7 shall not take effect.

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15 101.123 (6) (title) and (7) (title) of the statutes, and the renumbering of section
16 101.123 (6) and (7) of the statutes take effect on June 1, 2008, if the condition set forth
17 in SECTION 53g (1) of this act is satisfied."

18 (END)